CITY OF SNOHOMISH Snohomish, Washington

ORDINANCE NO. 1887

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON AMENDING SNOHOMISH MUNICIPAL CODE, CHAPTER 14.51, DRAINAGE BASIN PROTECTION, TO ADD AN EXCEPTIONS PROCEDURE

WHEREAS, the Snohomish City Council finds it to be in the public interest to adopt an exceptions process for drainage basin and critical areas; and

WHEREAS, many sites in Snohomish do contain wetland and stream critical areas; and

WHEREAS, many properties within the City which are subject to development for residential, commercial and industrial uses contain critical areas; and

WHEREAS, such properties should be allowed to be developed in a reasonable manner while protecting critical areas to the greatest extend practicable by establishing an exceptions process; and

WHEREAS, the Snohomish Planning Commission held a public hearing on November 19, 1998 to consider the establishment of an exceptions process; and

WHEREAS, the Snohomish City Council held a public hearing on December 15, 1998 to accept public testimony on the exceptions process recommended by the Planning Commission;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Chapter 14.51 of the Snohomish Municipal Code is hereby amended to read as follows:

		14.51.070	Rating System	
	Chapter 14.51	14.51.080	Buffer Areas	
		14.51.090	Road and Utility Development	
Drainage Basin Protection		14.51.100	Stormwater Drainage and	
			Erosion Control	
Sections:		14.51.110	Stream Enhancement	
14.51.010	Purpose and Intent	14.51.120	Density Calculations for Wetland	
14.51.020	Applicability		and Stream or Lake Areas	
14.51.030	Regulated Activities	14.51.130	Allowed Development Activities	
14.51.040	Exemptions		in Streams, Wetlands and	
14.51.050	Drainage Basin Resource		Buffers, Subject to a Critical	
	Inventory Maps		Areas Study and Mitigation Plan	
14.51.060	Permit Process and Application	14.15.140	Activities Allowed in Streams,	
	Drainage Basin Requirements		Wetlands and Buffers, Pursuant	
			to Best Management Practices	

14.15.150 Exceptions14.51.160 Savings Provision - Reasonable Use

14.51.010 Purpose and Intent.

- A. The City of Snohomish finds that drainage basin resources consisting of wetlands, streams, rivers and lakes perform many important biological and physical functions that benefit the City and its residents, including but not limited to:
 - 1. Helping to maintain water quality.
 - 2. Storing and conveying stormwater and floodwater.
 - 3. Recharging groundwater.
 - 4. Providing important fish and wildlife habitat.
 - 5. Serving as areas for recreation, education and scientific study and aesthetic appreciation.

Protection of wetlands, streams and lakes is, therefore, necessary to protect the public health, safety and general welfare. Protection of the quality and rate of stormwater runoff is equally vital to the health of the aquatic systems in the drainage basin.

B. This section of the municipal code contains standards, guidelines, criteria and requirements intended to identify, analyze and mitigate potential impacts to the City's drainage basin and resources and to enhance and restore the drainage basin to its natural state where possible. The intent of these regulations is to avoid impacts to the drainage basin where such avoidance is feasible and reasonable. In appropriate circumstances, impacts to the drainage basin system resulting from regulated

activities may be minimized, rectified, reduced and/or compensated for, consistent with the requirements of this chapter.

- C. It is the further intent of this chapter to:
 - 1. Implement the goals and policies of the City's Community Development Plan and its vision statement, including those pertaining to natural features, environmental protection, aesthetics and community character.
 - 2. Serve as a basis for exercise of the City's substantive authority under the State Environmental Policy Act (SEPA) and the City's SEPA rules.
 - 3. Comply with the requirements of the Growth Management Act (RCW 36.70A) and implementing rules.
 - 4. Coordinate environmental review and permitting of proposals to avoid duplication and delay.

14.51.020 Applicability.

- A. The provisions of this section shall apply to any regulated activity that potentially affects a drainage basin resource or buffer, unless otherwise exempt.
- B. To avoid overlap and duplication, the following permits and approvals shall be subject to and coordinated with the requirements of this section:
 - 1. Clearing, grading and filling.
 - 2. Subdivision or short subdivision.
 - 3. Building permit.
 - 4. Planned unit and planned residential development.
 - 5. Shoreline substantial development.

- 6. Variance.
- 7. Conditional use permit.
- 8. Site development plan approval.
- 9. Other permits leading to the development or alteration of land.

Non-project actions, including but not limited to, land-use plan adoption, shall not be required to perform a wetland determination as that term is defined by these regulations.

- D. These regulations shall apply as an overlay and in addition to land use designation, and other regulations established by the City of Snohomish. In the event of any conflict between these regulations and any other regulations of the City, the regulations which provide greater protection to environmentally sensitive areas shall apply.
- 14.51.030 Regulated Activities. The following activities within a drainage basin resource including wetland, stream, river or lake and its associated buffer, or outside a wetland or buffer but potentially effecting the wetland or buffer, shall be regulated pursuant to the standards of this chapter except for rivers regulated under the City's Shoreline Management Plan:
- A. Removing, excavating, disturbing or dredging soil, sand, gravel, minerals, organic matter or materials of any kind.
- B. Dumping, discharging or filling with any material.
- C. Draining, flooding or disturbing the water level or water table.
- D. Driving piling or placing obstructions;
- E. Constructing, reconstructing, demolishing or altering the size of any structure or infrastructure.

- F. Destroying or altering vegetation through clearing, harvesting, shading or planting vegetation that would alter the character of a wetland.
- <u>**14.51.040**</u> Exemptions. The following activities shall be exempt from the provisions of this chapter:
- A. Existing and ongoing agricultural activities.
- B. Activities involving artificially created wetlands intentionally created from non-wetland sites, including but not limited to grass-lined swales, irrigation and drainage ditches, detention facilities, and landscape features, except wetlands created as mitigation.
- C. Activities affecting isolated Class IV wetlands smaller than three thousand (3,000) square feet in area.
- D. Maintenance, operation and reconstruction of existing roads, streets, utilities and associated structures; provided, that reconstruction of any structures may not increase the impervious area.
- E. Normal maintenance, repair and reconstruction of residential or commercial structures; provided, that reconstruction of any structures may not increase the previous floor area.
- F. Site investigative work and studies necessary for preparing land use applications, including soils tests, water quality studies, wildlife studies and similar tests and investigations; provided, that any disturbance of the wetland shall be the minimum necessary to carry out the work or studies.
- G. Educational activities, scientific research, and outdoor recreational activities, including but not limited to

- interpretive field trips, bird watching and hiking, that will not have a significant effect on the wetland.
- H. Emergency activities necessary to prevent an immediate threat to public health, safety or property.

14.51.050 Drainage Basin Resource Inventory Maps.

- A. The approximate location and extent of drainage basin resources within the City's planning area are shown on the critical areas maps adopted as part of this chapter. These maps shall be used as a general guide only for the assistance of property owners and are not determinative; the type, extent and boundaries of wetlands shall be determined in the field by a qualified professional according to the procedures, definitions and criteria established by this chapter.
- B. In the event of any conflict between a wetland location or designation shown on the City's maps and the criteria or standards of this chapter, the criteria and standards shall control.

14.51.060 Permit Process and Application Drainage Basin Requirements. Application requirements when drainage basin resources may be affected by a proposed development:

A. Prior to the issuance of a SEPA threshold determination for a proposal, a drainage basin resource determination or delineation report must be submitted to the City for review. The purpose of the report is to determine the extent and function of streams or wetlands on any site where regulated activities are proposed. The report will also be used by the City to determine the appropriate designation rating and buffering requirement for the drainage basin resource.

B. Resource boundaries must be staked and flagged in the field by a qualified consultant employing the Federal Methodology. Field flagging must be distinguishable from other survey flagging on the site. The field flagging must be accompanied by a wetland delineation report. The report shall include the information required to address the concerns of this section as adopted by City Council resolution.

14.51.070 Rating System. Streams and wetlands shall be designated according to the criteria in this section. Blackman's Lake will not be categorized and is the only lake which will be within the City of Snohomish jurisdiction.

A. Stream Classifications.

- Class 1 streams are all streams inventoried as "Shorelines of the State" under RCW Chapter 90.58, and are regulated under the City's Shoreline Management Plan and include only the Snohomish and Pilchuck Rivers.
- 2. Class 2 streams are smaller than Class 1 streams that flow year-round during years of normal rainfall and are used by salmonids, and intermittent or ephemeral streams that are used by salmonids and serve other important wildlife functions and stormwater control functions.
- 3. Class 3 streams are Class 2 streams which are not inhabited by salmonids.

B. Wetland Classifications.

- 1. Class 1 wetlands are those wetlands which meet any of the following criteria:
 - a. The documented presence of species proposed or listed by the

- federal government or State of Washington as endangered or threatened.
- b. Sites that are documented or qualify as Natural Heritage wetlands sites, or high quality native wetland communities where significant functional values have not been altered (e.g. soils, hydrology, vegetation), and are not predominantly characterized by non-native plant species.
- c. Regionally rare wetland communities, i.e. one of five or fewer examples of the wetland type based on plant association.
- d. Wetlands with irreplaceable ecological functions, including peat wetlands that have not been subject to significant hydrological modification and mature forested wetlands greater than one acre in size.
- e. Wetlands with a total area of ten acres or more that include three or more wetland classes including an open water zone.
- f. Documented habitat for listed or candidate sensitive or priority species of plants, fish or wildlife recognized by applicable federal or state agencies.
- 2. Class 2 wetlands are those wetlands which are not Class 1 wetlands and meet any of the following criteria:
 - a. Display significant functions and values that may not be adequately replicated through creation or restoration, including peat wetlands with significant hydrologic modification, and forested wetlands that are not

mature.

- b. Wetlands one acre or greater in size with either 40 percent to 60 percent open water in dispersed patches, or wetlands classified as forested.
- c. Wetlands that are associated with other water bodies.
- 3. Class 3 wetlands are those wetlands which do not meet Class 1 or 2 criteria and are isolated wetlands that are one acre in area or greater and have more than one dominant plant species.
- 4. Class 4 wetlands are wetlands which do not meet the criteria of Class 1, 2 or 3 wetlands.

14.51.080 Buffer Areas.

- A. The establishment of stream and wetland buffer areas shall be required for all development proposals and activities adjacent to streams and wetlands to protect the integrity, function and value of the stream or wetland. Buffers shall consist of an undisturbed area of native or existing vegetation established to protect the functions and values of the wetland. Buffers shall be determined in conjunction with considerations stream or wetland type and quality, approved alterations and required mitigation measures. Buffers are not intended to be established or to function independently of the stream or wetland they are established to protect; the establishment of a buffer shall not operate to prevent a use or activity that would otherwise be permitted in the stream or wetland subject to mitigation.
- B. Wetland buffers shall be measured from the wetland edge as delineated and marked in the field using the Federal Methodology. Required buffer widths

- shall reflect the sensitivity of the wetland and the type and intensity of human activity proposed to be conducted near the wetland.
- C. Stream buffers shall be measured from the center of the stream. In any case, the buffer area shall be no less than twenty-five (25) feet from the top of the bank of a well defined stream. When the top of the stream bank is beyond the applicable buffer distance, the twenty-five (25) feet from the top of the bank will constitute a setback prohibiting impervious surfaces but allowing uses of the property that do not negatively impact the creek or buffer.
- D. Buffer widths are established in the following table:

TABLE OF BUFFER WIDTHS

Buffer Width (in feet			
Wetlands			
Class 1	200		
Class 2	100		
Class 3	50		
Class 4	50		
Streams			
Class 1	Regulated under Shoreline Management Plan		
Class 2	100		
Class 3	50		
Blackman's Lake	75		

Note: An additional 10-foot minimum building setback from the buffer edge is required.

- E. An additional ten-foot (10') minimum building setback from the buffer edge is required to allow construction and maintenance access between the buffer and the structure.
- F. Buffer widths may be modified by averaging buffer widths or by enhancing

buffer quality as set forth herein.

- 1. Buffer width averaging shall be allowed only where the applicant demonstrates to the City that the critical area contains variations in sensitivity due to existing physical characteristics, that lower intensity land uses would be located adjacent to areas where buffer width is reduced, that width averaging will not adversely impact the resource functional values, and/or that the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging.
- 2. Buffer width may be reduced by up to 25 percent if an applicant undertakes measures approved by the City to enhance the buffer stream or wetland, including but not limited to planting of native trees or shrubs, increasing the diversity of plant cover types, or replacement of exotic species with native species.
- 3. Notwithstanding the reductions permitted in subsections (1) and (2) above, buffer widths shall not be reduced by more than 50 percent of the required buffer or to less than twenty-five (25) feet.
- G. Low impact uses and activities which are consistent with the purpose and function of the buffer and do not detract from its integrity may be permitted within the buffer depending on the sensitivity of the drainage basin resource. Examples of uses and activities which may be permitted in appropriate cases include pedestrian trails, viewing platforms, stormwater management facilities such as grass-lined swales, docks of less than two hundred (200) square feet, and utility easements. Uses permitted within the buffer shall attempt to locate in the outer portion of the buffer as far as

possible from the wetland.

- H. A regulated drainage basin resource and its associated buffer may be placed in a separate tract on which development is prohibited, protected by execution of an easement, dedicated to a conservation organization or land trust, or similarly preserved through a permanent protective mechanism acceptable to the City. The location and limitations associated with the drainage basin resource and its buffer shall be shown on the plat or other land use action applicable the property and shall be recorded with the Snohomish County Department of Records.
- I. Streams which have been altered in course by locating them in stormwater ditches may be relocated if an approved enhancement plan is implemented.
- J. Buffer and wetland vegetation may be enhanced based on a planting plan prepared by a wetland specialist and approved by the City.

14.51.090 Road and Utility Development.

A. Roads.

1. Adjacent to Wetlands. Roads constructed adjacent to wetlands must meet the buffer requirements which may be decreased only when crossing a wetland.

2. Across Wetlands.

a. Roads will not be allowed to be constructed across a wetland on any site, subdivision, or short subdivision unless it can be shown that road access cannot reasonably be located elsewhere. Roads may cross streams only if approved by Hearing Examiner under the exception process.

- b. Any crossing will be constructed in a manner which will mitigate its effect on the wetland, required in this chapter.
- 3. Adjacent to Streams. Roads constructed adjacent to streams shall meet the buffer requirements for the stream classification. This buffer may be decreased only when crossing a stream or by granting of an exception.
- 4. Crossing Streams. Road crossings over streams shall occur only by means of a bridge, which shall be shown on any site plan, subdivision, or short subdivision and shall be constructed at the same time as all other roads and the installation of utilities. In order to minimize creek crossings, the City may require property owners to share bridge access.

B. Utilities.

- 1. Utilities in Buffer Areas. Public and private utility corridors may allowed within buffers on wetlands, streams or Blackman's Lake. Proposals to place utilities in buffers require Hearing Examiner approval under the exception process. Corridor alignment, construction, restoration maintenance shall adhere to the mitigation criteria contained in this chapter and requirements of the exceptions process.
- 2. Crossing Wetlands. Utilities which cross wetlands or streams must do so at the same locations as roadways where roadways exist, either underneath or immediately adjacent to the road, unless adopted utility plans specify otherwise, or it can be shown that utilities cannot feasibly be located within a roadway. If

utilities must cross streams or wetlands, the Hearing Examiner must approve through the exceptions process.

3. Utility Exceptions. Utilities which cannot be placed on any other site because of design or location constraints may be located in a critical area after approval of an exception by the Hearing Examiner.

14.51.100 Stormwater Drainage and Erosion Control.

A. Control of Rate.

- 1. All stormwater runoff from impervious surfaces shall be detained on the site and metered into the natural drainage system at the same rate as would have occurred on the site under natural conditions. This shall be done in a system approved by the City Engineer.
- Erosion control measures, such as the installation of rip-rapping outfalls or grassland buffers, will also be required when the City Engineer deems it necessary.

B. Control of Quality.

- 1. All runoff discharge collected from impervious surfaces must be filtered through systems approved by the City Engineer prior to its entering either a stormwater retention or detention system.
- The City of Snohomish shall be given an easement and will enforce the cleaning and servicing of all oil separators installed under these standards.
- C. Control of Erosion During Construction. Erosion control measures approved by the City Engineer shall be installed as a

condition of the permit for any grading, the construction of any building, or the installation of any utilities. The City shall cause any work which is proceeding without such measures to cease.

14.51.110 Stream Enhancement.

- A. For Fisheries. Streams which feed into the Snohomish or Pilchuck Rivers are historically salmon spawning streams and habitat for other fish. development within the corridor shall be done to standards that will prevent any negative impacts on the drainage basin resources related to habitat and water quality. Access easements to the drainage basin resources may required by the City as a condition of each site development, for purposes of enhancement and restoration of the stream to a condition which encourages salmon spawning. Buffer width may be reduced by 25 percent if measures are taken to improve the stream.
- B. For Stream Bank Stabilization. The City of Snohomish may require as a condition of development measures which will stabilize the stream bank, including but not limited to the planting of trees and shrubs, according to a mitigation plan.

14.51.120 Density Calculations for Wetland and Stream or Lake Areas.

- A. An owner of a site or property containing wetlands may be permitted to transfer the residential density attributable to the wetland or stream and buffer area to another non-wetland, non-sensitive portion of the same site or property, subject to the limitations of this section and other applicable regulations.
- B. Up to 100 percent of the density that could be achieved on the wetland portion of the site can be transferred to the non-

wetland portion, subject to the density limitations of the overall site; provided, that the area to which density is transferred shall not be constrained by another environmentally critical area regulated by this code, and the requirements of Chapter 14.31 SMC are met.

C. An applicant desiring to vary the standards of the underlying single-family residential classification so as to utilize a greater portion of the density potentially transferable to the non-wetland, non-constrained portion of the site may apply for a planned residential development (PRD) or pursuant to applicable procedures as provided for in Chapter 14.31 SMC.

14.51.130 Allowed Development Activities in Streams, Wetlands and Buffers, Subject to a Critical Areas Study and Mitigation Plan.

- A. The following development activities may occur in streams, wetlands and buffers regulated under this chapter, but will require a critical area study and mitigation plan.
 - 1. Allowed development activities in streams regulated under this chapter:
 - a. Utility lines, hydroelectric power generating facilities and all other public and private utility facilities.
 - b. Public and private roadway crossing and trails.
 - c. Bridge construction and culvert installations.
 - d. Bank protection and flood protection, including flow control structures for regional retention/detention systems.

- e. In-stream fish and/or wildlife habitat enhancement.
- f. Activities and mitigation authorized by this chapter, including stream restoration, enhancement, and relocation which increases functional value.
- g. Stream relocation when a plan is submitted as part of the critical area study which demonstrates that the following criteria are met:
 - The relocation will improve water quality, fish or wildlife habitat, wetland recharge (if hydrologically connected to a wetland).
 - 2) The plan must contain and show the following information: a topographic survey showing existing and proposed topography and location of the new stream channel; provisions for filling and revegetating the prior channel, if appropriate.
 - 3) Relocation will maintain or improve hydrologic function.
 - 4) Natural materials and vegetation normally associated with the stream will be utilized.
 - 5) Spawning, rearing and nesting areas will be created, if applicable.
 - 6) Water flow characteristics compatible with fish habitat areas will be restored.
- h. Development activities allowed by the City Shoreline Management Master Program in areas subject to the Shoreline

Management Act.

- 2. Allowed development activities in wetlands regulated under this chapter:
 - a. Utility lines and utility facilities.
 - b. Public and private roadways, including bridge construction and culvert installation.
 - c. Wildlife management or viewing structures.
 - d. Outdoor scientific or interpretive facilities.
 - e. Other activities and mitigation authorized by this chapter.
 - f. Enhancement projects where no loss of functional values results.
 - g. Development activities allowed by the City Shoreline Management Master Program.
 - h. Storm water detention/retention facilities.

14.15.140 Activities Allowed in Streams, Wetlands and Buffers, Pursuant to Best Management Practices. The following activities may occur in streams, wetlands and buffers regulated under this chapter provided that such activities are conducted pursuant to best management practices:

- A. Normal, routine, and emergency maintenance and repair of existing roads and utility corridors, utility facilities, equipment and appurtenances.
- B. Replacement, modification, extension, installation, or construction by a utility purveyor in an improved public road right-of-way.
- C. Replacement or modification of existing Ord1887-Amend 14.41 Drainage Basin & Exceptions

- facilities by a utility purveyor in an improved utility corridor.
- D. Replacement, modification, extension, installation or construction by a utility purveyor of individual utility service lines connecting to a utility distribution system.
- E. Replacement, modification, minor installation or construction in an improved right-of-way by the county or by the holder of a current right-of-way use permit.

14.51.150 Exceptions

A. The exception procedure shall apply only to such lots on which the drainage basin resources or their buffers and setbacks exceeded 50 percent of the lot area or on parcels on which the location of the critical area leaves no reasonable building site or as an incentive to improve the stream or wetland resource. The goal of the exception procedure shall be to balance reasonable use of the property with minimum impact on the resource.

An exception may also be granted as an incentive for improving the function of a critical area on a site based on a plan prepared by a qualified biologist and approved by the City. The plan must meet the requirements of SMC 14.51.140(C) and, in addition, specify and quantify those functions which will be improved if the critical area improvement plan is implemented.

A lot or parcel for which an exception has been granted is not eligible for any additional exceptions.

B. Process. An applicant shall follow the procedures for a site development plan as contained in Chapter 14.13 SMC in order to obtain a drainage basin regulations exception.

- C. Submittal Requirements. In addition to the information required as specified in Chapter 14.13 SMC, the applicant must submit with his request for exception a site plan which shows the following:
 - 1. The wetland or stream location mapped and classified by a qualified biologist. The wetland edge must be staked on the property.
 - 2. The proposed location and dimension of the following improvements:
 - a. Any structure.
 - b. The access including location and surfacing.
 - c. All utilities including water, sewer, and power.
 - 3. Relationship between the critical area on this property and the extent of the wetlands or riparian vegetation on surrounding properties.
 - 4. The adjacent right-of-way improvements including curbs, gutters, sidewalks, and storm sewer.
 - 5. The proposed stormwater drainage plan.
 - 6. Location and typing of all existing vegetation.
 - 7. Proposed landscaping plan.
 - 8. The buffer and setback areas required under these development standards.
 - 9. A survey of the property which includes a survey of the edge of the wetland area and shows contour lines at two-foot (2') intervals.
 - 10. A wildlife study.

- 11. Proposed mitigation measures which must include the following elements:
 - a. A detailed mitigation plan prepared by a wetlands specialist.
 - b. Preservation, improvement or protection of wetland functions and values.
 - c. The plan shall include assurance that the plan will be implemented and maintained. Procedures to effectuate this goal include monitoring, bonding, or fall back alternatives, or a combination of these.
 - d. Demonstrate that alteration is the minimum necessary and that mitigation is such that no net loss will occur.
 - e. Include a base line study quantifying existing and proposed wetland functional values.
 - f. The mitigation plan must show that the following replacement ratios are met if existing wetlands are to be filled:

Wetland	Replacement Ratio		
Class	In subarea	In WRIA #7*	
	drainage		
	basin		
1	2:1	4:1	
2	2:1	4:1	
3	1.5:1	3:1	
4	1.5:1	3:1	

*Water Resource Inventory Area

g. In no instance may the existing wetland area be reduced to less than thirty percent of the lot area as a result of an approved exception.

Class 3 and 4 wetlands may be replaced within the drainage

basin at a ratio of 1:1 if the mitigation plan demonstrates that the replacement wetlands create additional functional values over those wetlands which are to be replaced.

- D. Exceptions for Wetlands over an Acre. For an exception request that affects one acre of wetland or greater, the City will hire the qualified biologist to prepare the mitigation plan at the expense of the property owner.
- E. Site Development Plan. The site development plan approval may include but not be limited to the following conditions:
 - 1. Mitigation measures for replacement or protection of the wetland to include all measures described in this chapter.
 - 2. Mandating vehicle and utility access points.
 - 3. Specify construction methods and location of buildings.
 - 4. Specify landscaping and buffering requirements in addition to those required under the landscape ordinance.
 - 5. Specify engineering requirements for management of storm drainage generated on the site beyond the city's normal requirements.
 - 6. An open space easement to the city.
- F. Covenant. If the Hearing Examiner approves the exception with conditions attached to the approval, then such conditions will be incorporated into and shall be a part of the site development plan as covenants or conditions which will run with the title to the subject property.

14.51.160 Savings Provision - Reasonable

<u>Use</u>. The standards and regulations of this chapter are not intended, and shall not be construed or applied in a manner, to deny all reasonable economic use of private property. If an applicant demonstrates to the satisfaction of the City that strict application of the standards contained in this chapter would deny all reasonable economic use of its property, development may be permitted subject to the exception process set forth in SMC 14.51.140.

PASSED by the City Council and APPROVED by the Mayor this $5^{\rm th}$ day of January 1999.

CITY OF SNOHOMISH

		Ву			
ATTEST:			Jeff Soth, M	I ayor	
By Molly Linvil	le, City Clerk	_			
APPROVED AS T	O FORM:				
By Grant Weed,	City Attorney	_			
Date of Publication	n:				
Effective Date (5 d	ays after publication)	• •			